GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - Revision Petition - Sri A. Narasimhulu, former Dy. Tahsildar, Gangavaram Mandal, Chittoor District - Disciplinary proceedings initiated on the allegation of processing of land conversion proposal of agriculture land in Sy.No.245/2 extent 3.10 of Keelapalle Village of Gangavaram Mandal - Inquiry Officer appointed - Inquiry report submitted - Punishment of 'Reduction in Rank as Senior Assistant' imposed - Appeal filed - Modified the punishment as 'withholding of one annual grade increment without cumulative effect' - Revision Petition filed - Admitted - Punishment set aside - Orders - Issued.

REVENUE (VIGILANCE.III) DEPARTMENT

G.O.Rt.No.308 **Dated:28.03.2023**

Read the following:

1. Proceedings of the CCLA & Spl. C.S Ref.No.VS.II(1)/34/2021, DT:17.01.2022.
2. Proceedings of the CCLA & Spl. C.S Ref.No.VS.II(1)/34/2021, DT:17.10.2022.
3. Appeal petition dt:27.10.2022 of Sri A.Narasimhulu former D.T, Gangavaram (M), Chittoor District.
4. G.O.Rt.No.65, Revenue (Vig.III) Department, Dated:17.01.2023.
5. Revision petition dt:Nil.01.2023 of Sri A. Narasimhulu, former Dy. Tahsildar, Gangavaram Mandal, Chittoor District.

---***---

ORDER:

Whereas, it was brought to the notice of the Government that in the reference 1st read above disciplinary proceedings were instituted against Sri A.Narasimhulu, former Dy. Tahsildar, Gangavaram Mandal, Chittoor District and others on the allegation that he being a responsible Government Servant, while working as Deputy Tahsildar, Gangavaram has processed the file for conversion of agriculture land in Sy.No.245/2 extent 3.10 of Keelapalle Village of Gangavaram Mandal stating that no Land acquisition proceedings have been initiated or going to be initiate in and around the proposed lands in the village without verifying the office records. Whereas the Government of India vide Gazette No.707 dt.06.04.2015 published the notification S.O.931(E) dt.06.04.2015 of Ministry of Road Transport & Highways under Section 3A(1) of National Highways Act, 1956 (48 of 1956) notifying the lands in Sy.No, 240 to 242, 244, 247 etc of Keelapalle village of Gangavaram Mandal are required for building, maintenance, management and operation of National Highway No.4 on the stretch of land from Km133.360 to Km 216.975 in Chittoor District along with some other villages in Chittoor District. After following the due procedure under A.P.C.S (CC&A) Rules, 1991, the Chief Commissioner of Land Administration, A.P. issued orders imposing a major penalty of Reduction in Rank as Senior Assistant against Sri A. Narasimhulu, former Dy. Tahsildar, Gangavaram Mandal, Chittoor District, vide reference 2nd read above.

2. And whereas, aggrieved by the above orders, in the reference 3rd read above, Sri A. Narasimhulu, former Dy. Tahsildar, Gangavaram has filed an appeal petition before the Government, stating that the Chief Commissioner of Land Administration ought to have consider the Enquiry Officer's report and findings in which it was reported that the charge is not proved against the appellant. Hence, the orders are liable to be interdicted attentively. Therefore, he has requested to set aside the orders issued by the CCLA in the reference 2nd read above.

3. And whereas, Government, after careful examination of the matter, has observed that the enquiry Officer categorically mentioned that the charge framed against the appellant is not proved. As a Deputy Tahsildhar he has to satisfy himself regarding the correctness of information submitted to him by the lower staff instead of completely relying on them. In the present case in hand it was not done. Hence, it is a lapse on the part of the appellant. Accordingly, in the reference 4th read above, orders have been issued revoking the punishment of Reduction in Rank as Senior

(P.T.O)

Assistant imposed by the CCLA against Sri A. Narasimhulu, former Dy. Tahsildar, Gangavaram Mandal, Chittoor District duly imposing a punishment of "withholding of one annual grade increment without cumulative effect against him, under Rule 37 r/w Rule 9 of A.P.C.S (CC&A), Rules, 1991.

4. In the reference 5th read above, Sri A. Narasimhulu, has submitted a revision petition stating that the Enquiry Officer was performed the enquiry in his presence who has satisfied very much and very much interpreted that the mistake was held only after processing by the lower cadre staff as well as the then Tahsildar, Gangavaram Mandal and reported that the charge is not proved against him. Further he submitted that the orders of the Govt in G.O.Rt.No.65, Dt:17.01.2023 with holding one annul grade increment without cumulative effect imposed against him is against the principles of natural justice. He has finally requested to consider his revision petition dispassionately and sympathetically to pass such other orders as it may fit and give him justice.

5. The revision petition of A.Narasimhulu, Dy.Tahsildar, has been judiciously examined and observed that the Revenue Divisional Officer and Inquiry Officer in his report stated that the charge against him is not proved. The Inquiry Officer has also stated that the then Tahsildar has not given any scope to involve in land acquisition process which was taken for road widening as it was published after the joining of the Charged officer. Even a minor punishment against who are not guilty is not advisable. Therefore, the revision petition is allowed.

6. Accordingly, the punishment of withholding of one annual grade increment without cumulative effect imposed against Sri A. Narasimhulu, former Dy. Tahsildar, Gangavaram Mandal, Chittoor District in the reference 4th read above, is hereby set-a-side under rule-40 of A.P.C.S (CC&A) Rules, 1991.

7. The Chief Commissioner of Land Administration, A.P., Mangalagiri shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G. SAI PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT (FAC)

To:
Sri A. Narasimhulu, former Dy. Tahsildar, Gangavaram Mandal, Chittoor District **through** the Chief Commissioner of Land Administration, A.P., Mangalagiri.
The Chief Commissioner of Land Administration, A.P., Mangalagiri.
Copy to:
The Collector & District Magistrate, Chittoor.
Sf/Sc.

//FORWARDED::BY ORDER//

Nagaraj.
SECTION OFFICER